

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF HOISTING ENGINEERS
1511 PONTIAC AVENUE
Building 70 – 2nd Floor Conference Room
Cranston, RI 02920**

TUESDAY, DECEMBER 11, 2007

Board Members in Attendance:

**David Burnham, Chairperson
Ellery Wood, Jr.
James Woloochojian**

Also in attendance: David Rodrigues, Investigator, Ronald D'Ambruoso, Designee, Valentino Lombardi, Esquire

David Burnham, Chairperson, called the meeting to order at 10:05 a.m.

There was a Quorum today.

David Burnham, Chairperson stated that the first item on the agenda was the minutes from November 13, 2007 meeting, the minutes were

in each Board member's book and attached were the stenographer's record of the meeting. Mr. Burnham asked if everyone had reviewed the minutes from November 13, 2007 meeting. Ellery Wood made a motion to accept the minutes, and James Woloohojian seconded the motion. All were in favor. Motion carried.

Ronald D'Ambruoso recused himself from violation No. 3308, Tocci Building Corporation, at the last meeting and is now recusing himself from this meeting, but Ron was still able to vote in the Quorum according to our legal counsel, Valentino Lombardi.

David Burnham, Chairperson reported that based on the testimony given at our previous meeting and tabled to this meeting regarding Tocci Building Corporation, that a recommendation of this meeting would be made to the Director. As recorded in the stenographer's transcript, the alleged violator, Tocci Building Corporation was asked to come back to this meeting for a recommendation that would be made to the Director if they chose to do so, but they declined to do so.

Mr. Woloohojian made a motion that based on the testimony heard at the last meeting, and based on the stenographer's transcript, that a finding of fact did occur on violation No. 3308, regarding violation of RIGL 28-26-12 and RIGL 28-28-5. Ellery Wood seconded the motion. All Board members were in favor, and the motion carried.

James Woloohojian made a motion that RIGL 28-26-11 fine of \$600 be suspended for a twelve month period if there are no other violations pending in that twelve month period, if there is another violation, the fine of \$600 will be re-instituted. Ellery Wood seconded the motion. All Board members were in favor. Motion carried.

New Business:

Ronald D'Ambruoso addressed the Board on the ratio that was proposed under the Apprenticeship Counsel.

After considerable discussion with Board members, it was noted that there are two ways to get a Hoisting license; 1) go to school, 2) Local 57 – be under the apprenticeship program, or be in the military. Board members would like to recommend to the Apprentice Counsel that they modify the ratio to eliminate the job site ratio for operating engineers and that they allow the in-house (hands on) ratios for training purposes, and that ratios are recommended to be five (5) trainees for one licensed instructor.

Old Business:

Learner's Permit was tabled from our last meeting.

There was considerable discussion regarding the Operator's Trainee Permit, which will be changed to Operator's Training License. David Rodrigues will make a draft regarding changes to the draft with the language submitted to Valentino Lombardi to be reviewed before our next meeting. A draft will then be passed out to all Board members. A recommendation will then be made to the Director to amend the Rules and Regulations reflecting a category for the Operator's Training License language.

David Burnham motioned to adjourn the meeting at 11:10 a.m. Ellery Wood seconded the motion. All Board members were in favor.

Minutes respectively submitted by Elaine J. Heiss, December 11, 2007.

The next meeting of the Hoisting Board is January 8, 2008 at 10:00 am in Building #70, 2nd floor conference room, 1511 Pontiac Avenue, Cranston, RI 02920.